

*****DRAFT MINUTES*****

SPECIAL COMMISSION MEETING

**Tallahassee, Florida
December 9, 2004**

**JOINT CITY-COUNTY TRANSMITTAL PUBLIC HEARING
AND SMALL SCALE ADOPTION PUBLIC HEARING
COMPREHENSIVE PLAN AMENDMENT CYCLE 2005-1**

The County and City Commission met in special joint session on December 9, 2004, in the City Hall Commission Chambers. Present were City Commissioners Marks, Lightsey and Gillum, and County Commissioners Thael, Proctor, Sauls, Grippa, Rackleff, Winchester, and DePuy. Also present were Assistant City Manager Wright, City Attorney English, County Administrator Alam and County Attorney Thiele.

Mayor Marks called the meeting to order at 6:04 p.m.

The Commissioners wished County Commissioner Thael a Happy Birthday.

Chief of Comprehensive Planning Fred Goodrow announced the purpose of this meeting was to receive public input on Proposed Cycle 2005-1 Amendments to the 2010 Tallahassee-Leon County Comprehensive Plan (Comp Plan), which would be followed with City and County Commission votes on the transmittal of proposed amendments to the Florida Department of Community Affairs (FDCA) for review and final votes on the adoption of small scale amendments. He reviewed the agenda materials and announced that Amendment 2005-1-M-001 had been withdrawn.

Mr. Goodrow announced the process for citizen appearances before the Joint Commission and asked that speakers limit their comments to no more than three minutes.

Planner Kristen Andersen announced the speakers on the respective amendments.

CONSENT

(City and County Commissioners in agreement)

The Commissions concurred in pulling Map Amendments 2005-1-M-008 and 2005-1-M-009, and Text Amendments 2005-1-T-034, 2005-1-T-053 and 2005-1-T-054 from Consent for discussion and separate votes, leaving the following amendments on Consent:

Amendment #	Description	Tentative Positions
2005-1-M-004	Proposed map amendment change from Recreation/Open Space to Central Urban on 0.175 acres located at the end of Myers Park Lane.	City-Approve County-Approve
2005-1-M-005	Proposed map amendment change from Government Operational to Mixed Use B on approximately 26.1 acres located at intersection of Blair Stone and Miccosukee Roads.	City-Approve County-Approve
2005-1-M-006	<i>Proposed map amendment change from Residential Preservation to Mixed Use A on 2.37 acres located on the north side of Talpeco Road, between North Monroe Street and Old Bainbridge Road.</i>	<i>City-Deferred to County County-Deny</i>
2005-1-T-032	Proposed text amendment modifying Policy 1.1.1 and Policy 1.1.4 of the Future Land Use Element to reflect the recent creation of the Woodville Rural Community future land use category.	City-Approve County-Approve
2005-1-T-033	<i>Proposed text amendment to provide a traffic concurrency exemption for residential development within the Urban Service Boundary and the Woodville Rural Community.</i>	<i>City- Deny County-Deny</i>

2005-1-T-038	This amendment changes and updates several policies in the Conservation Element addressing the role of the recently adopted Tallahassee-Leon County Greenways Master Plan.	City-Approve County-Approve
2005-1-T-040	Proposed text amendment to the annual update of the five-year schedule of Capital Improvements Projects.	City-Approve County-Approve
2005-1-T-041	Proposed text amendment change to the Glossary definition of Affordable Housing.	City-Approve County-Approve
2005-1-T-042	Text amendment proposes to amend the maps indicating Census Tracts targeted by Housing Policy 1.2.4 to reflect the 2000 Census data. This policy deals with the provision of Inclusionary Housing in selected Census Tracts.	City-Approve County-Approve
2005-1-T-043	This amendment proposes to add a vision statement to the Comprehensive Plan. An 18-member committee composed of community stakeholders created the vision statement. The vision statement will provide an overview of the community's desired future direction.	City-Approve County-Approve
2005-1-T-044	This amendment proposes to amend Objective 1.4 of the Land Use Element by deleting reference to a date and replace the word "adopt" with "maintain". Objective 1.4 directs the establishment of Land Development Regulations to implement the Comprehensive Plan. This objective has been achieved.	City-Approve County-Approve
2005-1-T-045	This amendment proposes to delete Policy 1.4.4 from the Land Use Element of the adopted Comprehensive Plan. Policy 1.4.4 provides for the Bradfordville Citizens Task Force report to be reviewed by The City and County Commissions. This policy was completed.	City-Approve County-Approve
2005-1-T-046	This amendment proposes to amend Objective 2.1 of the Land Use Element by deleting reference to a date and replace the word "adopt" with "maintain". Objective 2.1 directs the establishment of Land Development Regulations to implement the Comprehensive Plan. This objective has been achieved.	City-Approve County-Approve
2005-1-T-047	This amendment proposes to amend Objective 3.1 of the Land Use Element by deleting reference to a date and add replace the word "adopt" with "maintain". Objective 3.1 directs the establishment of Land Development Regulations to implement the Comprehensive Plan. This objective has been achieved.	City-Approve County-Approve
2005-1-T-048	This amendment proposes to amend Objective 4.1 of the Land Use Element by deleting reference to a date and replace the word "adopt" with "maintain". Objective 4.1 directs the establishment of Land Development Regulations to implement the Comprehensive Plan. This objective has been achieved.	City-Approve County-Approve
2005-1-T-049	This amendment proposes to amend Policy 5.1.2 of the Land Use Element by deleting reference to developing a school siting process by March 31, 1998. This policy was completed.	City-Approve County-Approve
2005-1-T-050	This amendment proposes to amend Objective 5.3 of the Land Use Element by deleting "by 1991". This policy addresses all decisions regarding land requirements for future utility facilities consistency with the Comprehensive Plan.	City-Approve County-Approve
2005-1-T-051	This amendment proposes to delete Goal 7, Objective 7.1 and Policy 7.1.1, which provide the criteria for a Southside Sector Plan. This section was superseded by the South Monroe Sector Plan.	City-Approve County-Approve
2005-1-T-052	This amendment proposes to amend Policy 11.2.1 of the Land Use Element by deleting reference to the year 2001 and clarifying the annual report language.	City-Approve County-Approve

County Commissioner Sauls moved to transmit the tentatively approved amendments on Consent to the FDCA for review, including Map Amendments 2005-1-M-004—005 and Text Amendments 2005-1-T-032, 2005-1-T-034, 2005-1-T-038 and 2005-1-T-040—052. Commissioner Gillum seconded the motion and the vote of the Joint Commission was as follows:

AYE: City Commissioners Marks, Lightsey and Gillum, and County Commissioners Thael, Proctor, Sauls, Grippa and Winchester
NAY: None
ABSENT: City Commissioners Katz and Mustian, and County Commissioners Rackleff and DePuy

PULLED FROM CONSENT

Map Amendment 2005-1-M-008

This proposed map amendment would change approximately 116 acres located on Buck Lake Road, west of Chaires Crossroad and east of Hill N Dale Drive South, from Urban Fringe to Mixed Use A and would bring the area inside the USA boundary. (J-II Investments, LP was the applicant.) Planning staff and the LPA recommended denial, and the tentative positions of the City and County Commissions were to deny this amendment.

Mayor Marks noted that Map Amendments 2005-1-M-008 and 2005-1-M-009 had been pulled from Consent because citizens were present to speak on those amendments.

Mr. Gregory Bader, 1334 Hill n Dale Drive South, appeared before the Joint Commission and urged denial of this amendment. He stated that the proposed change to Mixed Use A was contrary to the existing rural setting of the existing homes in the area and the existing two-lane roads would not handle the increased traffic.

Mr. Johnny Petrandis, 4178 Apalachee Parkway, the applicant, appeared before the Commission in support of this amendment, noting that the amendment property was approximately one-half mile from the City limits and central sewer, adjoining the urban services area (USA), with access to more than one existing road.

On behalf of the City, Commissioner Lightsey moved to deny Amendment 2005-1-M-008 and upon second by Commissioner Gillum, the vote of the City Commission was as follows:

AYE: City Commissioners Marks, Lightsey and Gillum
NAY: None
ABSENT: City Commissioners Katz and Mustian

County Commissioner Winchester ascertained that this amendment had not previously been before the Commissions while Map Amendment 2005-1-M-009, relating to other property in the general vicinity owned by the same applicant, had been presented in the previous cycle of amendments. He inquired as to whether Mr. Petrandis had been able to meet with the neighbors and resolve any of their concerns.

Mr. Petrandis advised that he had spoken with a number of residents concerning Amendment 009 and made some progress, although he would like to meet with more of the homeowners to solve their concerns. He urged the Commissions to approve the transmittal of the amendment while he worked with the homeowners to resolve their concerns before the final adoption of these amendments.

County Commissioner Rackleff opined that neither Amendment 008 or 009 could be justified as good planning and on behalf of the County, he moved to deny Amendment 2005-1-M-008.

County Chairman Thael passed the gavel to Vice Chairman Proctor and seconded the motion reaffirming the County's previous action to deny Amendment 008.

County Chairman Thael resumed the Chair and the vote of the County Commission was as follows:

AYE: County Commissioners Thael, Proctor, Sauls, Grippa, Rackleff and Winchester
NAY: None
ABSENT: County Commissioner DePuy

Map Amendment 2005-1-M-009

This proposed map amendment would change approximately 97 acres located on Old St. Augustine Road to the east and south of Calle de Santos from Urban Fringe to Mixed Use A and would bring the area inside the USA boundary. (Johnny & Kristina Petrandis were the applicants.) Planning staff and the LPA recommended denial, and the tentative positions of the City and County Commissions were to deny this amendment.

Mr. Johnny Petrandis, 4178 Apalachee Parkway, the applicant, re-appeared before the Commission in support of this amendment and emphasized that he had made some progress but would like to meet with more of the neighbors to resolve their concerns. He stated that he could currently develop this site of approximately 100 acres with clustered half-acre lots but he did not want to install 50 septic tanks on the property as it was surrounded by wetlands. Mr. Petrandis stated that the price range of the affordable housing he proposed was from \$150,000 -- \$175,000 and central sewer was available within 400-500 feet of this amendment site.

On behalf of the City, Commissioner Lightsey moved to deny Amendment 2005-1-M-009, reaffirming the City's previous position on the amendment. Commissioner Gillum seconded the motion and the vote of the City Commission was as follows:

AYE: City Commissioners Marks, Lightsey and Gillum
NAY: None
ABSENT: City Commissioners Katz and Mustian

On behalf of the County, County Commissioner Rackleff moved to deny Amendment 2005-1-M-009, reaffirming the County's previous position on the amendment. County Commissioner Winchester seconded the motion.

County Commissioner Winchester suggested that Mr. Petrandis meet with Planning and Growth Management staff and discuss the potential of taking a conservation subdivision approach to the development of this site. He stated that he would like to see this property developed, but Mixed Use A was not the most desirable land use for this area because it would create spot zoning in that Urban Fringe area.

Mr. Petrandis explained that he could not bring central sewer into the Urban Fringe area and in his opinion, 100 units on central sewer was much preferable to 50 units on septic tanks on this particular property.

Director of Planning Wayne Tedder confirmed that Planning staff had met with Mr. Petrandis and discussed the conservation subdivision process, which was applicable in the Urban Fringe future land use category. He advised that the staff was in the process of crafting an ordinance to implement those Comprehensive Plan policies with the intent of presenting that to the County Commission for adoption in January 2005. Mr. Tedder agreed that this was a possible solution for the subject property because development could be clustered in the buildable area with access through Calle de Santos Street while there would be some issues to be addressed regarding accessing the site through the low density residential subdivision to the north.

Mr. Tedder also clarified that the Commission had adopted a policy in the last amendment cycle that an amendment with a recommended denial by the Planning Commission would be required to wait one amendment cycle before it could be re-submitted.

After brief discussion, **the vote of the County Commission on the denial of Amendment 2005-1-M-009 was as follows:**

AYE: County Commissioners Thael, Sauls, Grippa, Rackleff and Winchester
NAY: None
ABSENT: County Commissioners Proctor and DePuy

Text Amendment 2005-1-T-034

This proposed text amendment provides for the deletion of a temporary level of service (LOS) standard previously established for Capital Circle Northwest and provide for an optional LOS standard of E plus 50% when a commensurate mitigation contribution is paid for certain constrained roadways located within the USA boundary. The proposed amendment also corrects outdated policy references to impact fee ordinances, corrects a formatting error within the Capital Improvements Element and adds a definition for LOS E plus 50% within the Comprehensive Plan glossary. (The City Growth Management Department was the applicant.) Planning staff and the LPA recommended approval. The tentative position of the County Commission was to approve this amendment. The City Commission's tentative position was to approve the amendment as modified.

Mayor Marks requested clarification of how the City and County positions on this amendment differed.

Planner Kristen Andersen advised that the City Commission's modified language addressed concern with protecting the existing level of service (LOS) standards that had been adopted in the Comprehensive Plan -- allowing the current LOS plus 50% as opposed to establishing LOS E plus 50%.

Commissioner Lightsey confirmed her support for the language modification, which had been suggested by staff to address her concern, and she clarified with Ms. Andersen that Concurrence staff had endorsed this modification language as well.

Ms. Becky Subrahmunyan, 1257 Cornerstone Lane, withdrew her written request to speak regarding this amendment.

On behalf of the City, Commissioner Lightsey moved to approve the transmittal of **Amendment 2005-1-T-034 as modified, reaffirming the City's previous position on this amendment.** Commissioner Gillum seconded the motion and **the vote of the City Commission was as follows:**

AYE: City Commissioners Marks, Lightsey and Gillum
NAY: None
ABSENT: City Commissioners Katz and Mustian

On behalf of the County, County Commissioner Grippa moved to adopt the City's position of **approving the transmittal of Amendment 2005-1-T-034 as modified** and upon second by County Commissioner Sauls, **the vote of the County Commission was as follows:**

AYE: County Commissioners Thael, Sauls, Grippa, Rackleff, Winchester and DePuy
NAY: None
ABSENT: County Commissioner Proctor

County Commissioner Proctor returned to the meeting at 6:30 p.m.

Text Amendment 2005-1-T-053

This amendment proposes to delete Policy 11.3.3 of the Land Use Element, which recommends establishing a tax increment-financing district in the Southern Strategy Area. (The Planning Department was the applicant.) Planning staff and the LPA recommended approval, and the tentative positions of the City and County Commissions were to approve this amendment.

County Commissioner Proctor questioned the rationale for deleting this land use policy.

Planner Darrin Taylor advised that the purpose of a series of these amendments was to clean up the Comprehensive Plan based on a review of what had occurred over time, and in this case the policy sought a tax increment financing district for the Southern Strategy Area (SSA) or a portion of the SSA. He stated that the Enterprise Zone had been approved for the SSA and a portion of the area was in a tax increment financing district of the Tallahassee Community Redevelopment Agency (CRA), therefore, this policy had basically been implemented.

County Commissioner Proctor disagreed that the CRA adequately addressed the goal of the SSA as this policy had been intended to address when it was adopted in 1998, therefore, he believed it was premature to delete this policy as proposed by this amendment. He opined that this policy should be maintained and strengthened to go beyond the CRA, which was more focused on the downtown area.

On behalf of the County, County Commissioner Proctor **moved to deny Amendment 2005-1-T-053.**

County Commissioner Grippa seconded the motion and requested clarification of the goal of this amendment.

Mr. Taylor advised that in looking at the policies for the SSA, this policy required the establishment of a tax increment financing district, which was a CRA, and with the adoption of the enterprise zone, the staff had found that the goal of providing an economic development tool for the SSA had been met.

County Commissioner Grippa clarified that the CRA was not applicable to the entire SSA and he opined that this was a good policy statement to continue in the Comprehensive Plan.

The vote on the County Commission was unanimous, 7/0, in favor thereof, denying Amendment 053.

On behalf of the City, Commissioner Gillum **moved to deny Amendment 2005-1-T-053** and upon passing the gavel to Mayor Pro Tem Gillum, Mayor Marks seconded the motion.

Commissioner Lightsey pointed out a major portion of the Frenchtown CRA was in the SSA and she opined that with the enterprise zones and two CRA districts, the requirements of this policy had been satisfied. She pointed out it would be difficult to get another CRA district established and in her opinion this Comprehensive Plan language served no purpose.

Commissioner Gillum stated his disagreement and asserted that the current CRA district did not cover the entire boundaries of the SSA.

The vote of the City Commission on the denial of Amendment 2005-1-T-053 was as follows:

AYE: City Commissioners Marks and Gillum
NAY: Commissioner Lightsey
ABSENT: City Commissioners Katz and Mustian

Text Amendment 2005-1-T-054

This amendment proposes to delete Policy 11.3.4 of the Land Use Element, which requires the mapping of existing environmental conditions in the Southern Strategy Area. (The Planning Department was the applicant.) Planning staff and the LPA recommended approval, and the tentative positions of the City and County Commissions were to approve this amendment.

County Commissioner Proctor inquired as to why the staff was suggesting with Amendment 054 that there was no longer a need to map environmental features in the SSA, and Mr. Taylor advised that in general, the environmental features had already been mapped and there were indicators of the locations of native forests. He stated that specific features would require individual site analysis review at the site plan approval level.

County Commissioner Proctor stated that the County had spent at least \$300,000 to provide mapping of environmental features at no cost to the developers, with funds received from Congress and the results to be provided in early 2005, and he suggested that requiring individual developers to provide this mapping could potentially drive up the cost of land. He, therefore, **moved to deny Amendment 2005-1-T-054. The motion died for lack of a second.**

On behalf of the County, County Commissioner Rackleff **moved to approve the transmittal of Amendment 2005-1-T-054** and County Commissioner Winchester seconded the motion.

County Commissioner Proctor inquired as to whether the lack of central sewer counted as an existing environmental condition in the SSA, and Mr. Tedder explained that it did not count in relation to this policy (Land Use Policy 11.3.4). He clarified that the Tallahassee Geographical Information System (GIS) web page was an outstanding source for identifying all the environmental features, such as wetlands, floodplains, karst features, already mapped out throughout the entire county. Mr. Tedder advised that mandatory surveys were a part of the subdivision site planning process and he stated that if all of the environmental features were to be surveyed throughout the SSA, the cost would be in the millions of dollars.

Mr. Tedder further advised that the Basin Study for the Woodville Recharge Area would not identify those features referenced in this particular policy but would identify the issues related to the water recharge basin within the Woodville area.

County Commissioner Proctor questioned how failed septic tanks should be categorized if that was not an environmental condition, and Mr. Tedder expressed the opinion that their failure would be an infrastructure failure problem because septic tank usage was not a regulated environmental feature. He explained that regulated environmental features were defined by the Comprehensive Plan as natural features, including the wetlands, floodplains, karst features, native forests, etc.

The vote of the County Commission on the motion to approve the transmittal of Amendment 2005-1-T-054 was as follows:

AYE: County Commissioners Thael, Sauls, Rackleff, Winchester and DePuy
NAY: County Commissioners Proctor and Grippa

On behalf of the City, City Commissioner Gillum **moved to reaffirm the City's previous position and approve the transmittal of Amendment 2005-1-T-054.** Commissioner Lightsey seconded the motion and **the vote of the City Commission was as follows:**

AYE: City Commissioners Marks, Lightsey and Gillum
NAY: None
ABSENT: City Commissioners Katz and Mustian

TRANSMITTAL DISCUSSION ITEMS

Map Amendment 2005-1-M-007

This proposed map amendment would change approximately 7.5 acres of an approximately 107-acre parcel located between North Monroe Street and Old Bainbridge Road north of the View Point development and the Edinburgh Estates subdivision from Residential Preservation to Lake Protection, and bring it inside the USA boundary. (Bob Sellars/Villas of Windsong, LTD was the applicant.) Planning staff and the LPA recommended approval, and the City Commission's tentative position was to deny this amendment. The County Commission deferred taking a position to the transmittal hearing.

Mr. Tedder clarified that the County Commission had approved the Summerfield Planned Unit Development (PUD) and with this amendment, the applicant was requesting a mixture of land uses including with this amendment a change from Residential Preservation to Lake Protection on approximately 7.5 acres of the approximately 107 acres of that PUD. He explained that under the current provisions of the Comprehensive Plan under Lake Protection within a closed basin all the uses and intensities of Mixed Use A were allowed on this 7.5 acres. Mr. Tedder advised that if this amendment was approved, the Summerfield PUD would need to be brought back to the County Commission for PUD Amendment approval to do anything other than what had been approved with the PUD.

County Commissioner Grippa opined that Amendment 007 was inconsistent with the County Commission's approval of the Summerfield PUD.

Mr. Tedder advised that the Planning Commission's recommendation was to deny this amendment.

On behalf of the County, County Commissioner Winchester **moved to deny Amendment 2005-1-M-007** and County Commissioner Rackleff seconded the motion.

Mr. Terrell Arline, Attorney at Law, 3205 Brentwood Way, representing the Lake Jackson Protection Alliance, Jeffrey S. Phipps, Joanne E. Kowal and C. Tomoka Brady, appeared before the Joint Commission and spoke against this amendment. He stated that procedurally the Plan Amendment should have been processed prior to the PUD and he distributed copies of a letter addressed to the Chairman of the County Commission, dated December 9, 2004, with an attached map of the Summerfield PUD site (*on file in the Office of the City Treasurer-Clerk*). Mr. Arline advised that a 22-acre parcel adjacent to this 7.5-acre amendment site had been changed "administratively" by the staff from Residential Preservation to Lake Protection without processing a Future Land Use Map Amendment, and he opined that this 7.5 acres should be combined with that 22 acres and processed as a large scale amendment.

County Commissioner DuPey questioned if this was an appropriate venue for County Commission discussion of this amendment since there was ongoing litigation against the County in this regard, and County Attorney Thiele recommended not talking about the item.

County Commissioner Winchester clarified that he had moved to deny the item with no discussion because of the pending litigation.

County Commissioner Rackleff stated his opposition to both the Summerfield PUD and this amendment.

County Commissioner Grippa inquired as to what the County Attorney recommended on this amendment, and County Attorney Thiele recommended approval of the motion on the floor.

County Commissioner Grippa questioned if this amendment would affect the Summerfield PUD, and County Attorney Thiele opined in the negative.

Ms. Tomoku Brady, 5885 Old Bainbridge Road, appeared before the Joint Commission and discussed her opposition to the Summerfield PUD based on density and compatibility issues.

Ms. Joanne Kowal, 4871 Old Bainbridge Road, appeared before the Joint Commission and stated her opposition to this amendment. She endorsed the comments of Mr. Arline and Ms. Brady.

Ms. Becky Subrahmunyan, 1257 Cornerstone Lane, withdrew her written request to speak regarding this amendment.

Ms. Carol Kio-Green, 4823 Sullivan Road, appeared before the Joint Commission and discussed her opposition to this amendment. She stated that from what she had been able to determine, there was no such thing as an "administrative" method of changing the land use, therefore, the 22-acre parcel would remain Residential Preservation unless it went through the Comprehensive Plan amendment process. Ms. Kio-Green recalled discussion of this issue in 1996 when three different maps in the Planning Department had shown the area designated as Residential Preservation, and she cited other issues of concern with this amendment, including no signature on the application, the map attached to the application reflecting 107 acres, there being no agent authorization from the owner optionee except the optionee form, and the amendment not having a time stamped for the date filed. She opined that this amendment had been processed in a manner that created a question on the validity of moving the amendment forward and stated that, in her opinion, the Florida Department of Community Affairs (FDCA) would very likely object to this amendment based on some historical information that she planned to send to FDCA.

Mr. George E. Lewis, II, 203 N. Gadsden Street, #6, appeared before the Joint Commission and stated his support for the motion on the floor. He emphasized the points that had been made regarding the procedural process with this application, noting that the Planning Department had been unable to show him a signed application or an original time date stamp, and the application had apparently been signed by an agent although there was nothing in the file authorizing representation by an agent. Mr. Lewis asserted that the Plan Amendment Process form clearly indicated that no application would be accepted unless complete and that the application must include the signature of the applicant, the date of application, and a notarized affidavit from the owner if being represented by an agent. He stated that he had learned that neither the City nor the County had adopted these requirements so that it was left to the Planning Department to change these forms, and he recommended that this occasion be used as justification for changing that operation.

Further, Mr. Lewis opined that this amendment made a mockery of Lake Protection and he asked that Residential Preservation be maintained in this case because there was a dramatic difference in the level of development that would be allowed if the property's land use designation was changed to Lake Protection and subsequent to that the closed basin designation was upheld, in which case the land would go from 45 dwelling units under RP to 110 dwelling units just on the 7.5 acres; it would go from offices not allowed to allowing up to 150,000 sq. ft. of Office; and it would go from no Commercial allowed to allowing up to 187,500 sq. ft. of Commercial. He stated that as a lake front property owner he was also concerned about being discouraged from making a statement on the record.

Mayor Marks clarified that his request to speakers was only to keep their comments to no more than three minutes.

County Commissioner Winchester asked that the County Attorney follow up on Mr. Lewis' suggestions regarding the application process at the next County Commission meeting.

The vote of the County Commission on the motion to deny Amendment 2005-1-M-007 was as follows:

AYE: County Commissioners Thael, Sauls, Rackleff, Winchester, Proctor and DePuy
NAY: None
ABSENT: County Commissioner Grippa

On behalf of the City, City Commissioner Lightsey moved to reaffirm the City's previous position and deny Amendment 2005-1-M-007. City Commissioner Gillum seconded the motion and the vote of the City Commission was as follows:

AYE: City Commissioners Marks, Lightsey and Gillum
NAY: None
ABSENT: City Commissioners Katz and Mustian

Mayor Marks stated his support for Mr. Lewis' suggestion to make sure the correct application process was in place and he encouraged the City Attorney to follow up on that issue as well.

At the request of County Commissioner DePuy, the County Commission's vote on its last motion was recorded from a unanimous show of hands in support of the motion, with County Commissioner Grippa absent.

Map Amendment 2005-1-M-015

This proposed map amendment would change approximately 4,336 acres located east of Southwood and the north and south sides of Old St. Augustine Road from Rural to Mixed Use B, and would move the USA boundary to the east to incorporate the amendment site. (The County Commission was the applicant on behalf of the Residential Land Affordability Committee.) Planning staff and the LPA recommended denial. The County Commission deferred taking a position on this amendment to the transmittal hearing, and the City Commission's tentative position was to deny the amendment.

Ms. Andersen clarified that this amendment had been proposed by the Residential Lot Availability & Affordability Committee to encompass 4,336 acres and had been subsequently modified to encompass only 614 acres located north of Old St. Augustine Road south of Apalachee Parkway, as that was the only portion the owner, St. Joe Company, was interested in developing in approximately five years. She advised that St. Joe Company owned another 1,229 acres located southwest of Southwood that was intended for future development. Ms. Andersen stated that this amendment would change the area from Rural to Mixed Use B and would also move the Urban Service Area (USA) to the east to include this alternative 614-acre site. She discussed the staff's recommendation to deny this amendment, indicating that an amendment on the alternative areas would need some staff analysis and could be included in the next amendment cycle if that was the desire of the Commissions.

Discussion focused on the proposed alternative amendment sites and Mr. Goodrow depicted the geographic location of the sites. Ms. Andersen clarified that representatives of the St. Joe Company had indicated they had no interest in developing the 4,336 acres reflected in the original amendment within the next five years.

Ms. Henree Martin, 5027 Centennial Oak Circle, representing the Residential Lot Availability & Affordability Committee, appeared before the Joint Commission in support of this amendment and discussed the Committee's rationale in proposing this amendment based on the lack of vacant and available land for residential development in Leon County. She explained that St. Joe Company had agreed to move forward with the development of the 614 acres north of Old St. Augustine Road but would not consider going forward with any preliminary planning for such development unless the land was inside the USA. Ms. Martin clarified that the Committee had not asked for the change to Mixed Use A and the Committee's intent was to request expansion of the USA to allow residential development of the 614 acres. She stated that the Committee was requesting that the 1,229 acres southwest of Southwood be addressed in the next amendment cycle, and she emphasized the need for affordable housing in the southern area of the County.

Ms. Penny Herman, 1596 Marion Avenue, President of the Tallahassee Board of Realtors, appeared before the Joint Commission in support of this amendment and a large group in the audience stood in support of her comments. She discussed their concern with the lack of available land and homes in Leon County causing people working in Leon County to go outside of Leon County to buy their homes, and she cited some statistics on the sale of houses in Leon County, i.e. a current total of only 98 homes for sale under \$150,000 and only 23 houses selling for less than \$200,000 in 2003-2004. Responding to an inquiry by City Commissioner Gillum, Ms. Herman explained that constraining the construction of homes to one unit per three acres in the area outside of the USA served to keep the supply of homes down and the cost of housing high.

Ms. Rosanne Wood, 2264 Grassroots Way, appeared before the Joint Commission and objected to this amendment. She argued that expanding the USA would not curb urban sprawl or encourage infill development and stated that there was no data to indicate that such expansion of the USA would help provide affordable housing. Ms. Wood also pointed out St. Joe Company had not begun its second phase of developing out Southwood to over 4,000 dwelling units.

Mr. Kevin Hattaway, 2016 Atapha Nene, appeared before the Joint Commission in support of this amendment and discussed his concern as a realtor with the lack of affordable housing in the community. He cited examples demonstrating the housing situation, including a customer who had recently moved to the area being pre-qualified for a loan to purchase a home for up to \$90,000 and was currently shopping in Gadsden County to buy a home because a single-family home could not be purchased in Leon County for \$90,000; and another customer who was a first time homebuyer who had been pre-approved to purchase a home for \$110,000 and was able to find a townhouse in Tallahassee in a flood hazard area. He stated that there was no housing stock in resales and opined that the only way to provide affordable housing was to help provide the land to build new housing stock by expanding the USA.

Commissioner Gillum inquired as to how a realtor defined affordable housing, and Mr. Hattaway opined that affordable housing in Leon County was currently closer to \$150,000.

Discussion continued relative to the available housing stock and housing costs. Mayor Marks determined from Mr. Hattaway that the majority of housing at Southwood was primarily presold, with townhouses starting at approximately \$200,000 and up. Mr. Hattaway added that one lot at Southwood had recently sold for \$100,000 and he opined that supplying more developable land would help alleviate the demand for housing and help keep the housing prices from escalating.

Ms. Jan Alovus, 2469A Grassroots Way, appeared before the Joint Commission in opposition to this amendment and discussed her distress at having expended so much time and effort on this issue only to find a state of confusion associated with this amendment. She asserted that this amendment undermined agreements that were already in place and stated that based on her conversations with some individuals, apparently not all parties impacted by this proposed amendment had been properly notified by mail nor had signs been posted along the affected areas until after the County Commission's October workshop. Ms. Alovus also observed that the Joint City-County Public Hearing had lacked a quorum, as only one City Commissioner was in attendance, and no one had come forward at that time to present a case for the passage of this amendment and help the concerned citizens understand the issues. Noting that the Joint City-County Workshop on these amendments had been canceled entirely, and there was some concern with the data used by the Residential Land Availability & Affordability Committee, she asked the Commissions for the gift of time to do the best for all concerned parties and urged the denial of this amendment.

Mr. David Cox, 2395 Copacetic Way, appeared before the Joint Commission in opposition to this amendment and suggested that the 614 acres north of Old St. Augustine Road would not provide affordable housing because it would be developed by St. Joe Company at prices comparable to those in Southwood. He opined that the process bringing this proposed amendment forward was flawed, as

the Committee that proposed the amendment was not well-balanced/represented with nine (9) representatives of the real estate/development community and three (3) conservationists, and there had been no public notice of the meetings and no public input. Mr. Cox requested that the Commissions investigate setting a policy of requiring that the amendment applicant have a vested interest in the amendment property. He also pointed out that according to the Committee's report, there were 25,000 acres of vacant developable land already inside the USA boundary, and suggested that those acres be pursued as a starting point for providing affordable housing.

Mr. Stan Derzypolski, 3345 Jackson View Drive, outgoing President of the Tallahassee Builders Association, appeared before the Joint Commission and discussed his support for this amendment. He discussed the difficulty of finding developable land in Leon County, citing his efforts to find a five- to 10-acre parcel of developable land for residential housing, and suggested that excessive local development rules increased the cost of housing so that there was a critical shortage of affordable housing. Mr. Derzypolski observed that in comparison with the townhomes in Southwood selling for approximately \$200,000, new townhomes were being built off of Gearheart Road in the \$130,000 range for a three-bedroom, three-bath, no garage, dwelling of approximately 1,200 sq. ft.

Ms. Carol Kio-Green, 4823 Sullivan Road, appeared before the Joint Commission in opposition to this amendment and discussed her perception that the amendment was based on false assumptions. She opined that there was no need to increase the USA or increase density through a new land use category and recommended looking at what would increase the allowable density within the existing land use categories, noting that recent data provided by Ms. Pam Hall showed that the achievable density only averaged approximately two units per acre while the Residential Preservation land use category allowed up to six units per acre.

Mr. Dave Handy, 2396 Grassroots Way, appeared before the Joint Commission and stated his support of the comments of prior speakers opposing this amendment. He pointed out no data had been presented that suggested a correlation between expanding the USA and a decrease in housing prices, and he depicted the geographic location of the Grassroots Community in the area north of Old St. Augustine Road.

Mr. Ted Thomas, 1469 Vieux Carre Drive, appeared before the Joint Commission and stated that he was a conservationist and a realtor. He indicated support for the comments of Ms. Martin and Ms. Herman, and clarified for the record that the 614-acre St. Joe parcel need not be developed with houses in the price range of those in Southwood because the amenities at Southwood dictated the price paid for homes in that community, and the Colin English land had not been submitted for development. Noting that the lack of availability of lots had driven the prices up beyond what was considered available and affordable, and the residential migration to outlying counties was obvious, Mr. Thomas stated that the Committee had recommended that the problem be addressed by expanding the USA and he reported that research showed the construction industry, which was dependent on land, made a major economic contribution to this community, indicating that every 100 new homes built in this community generated \$10 million to the local economy, building those 100 homes created 257 full-time jobs, and buyers of new homes in the community spent an average of \$3,766,000 to furnish and decorate those homes.

Mr. Patrick Seery, 2432 Grassroots Way, appeared before the Joint Commission in opposition to this amendment and stated that the conclusions of the data provided by Ms. Pam Hall showed that the conclusions reached by the Committee were antithetical to Ms. Hall's data. He discussed the lack of information in the Committee's report to support the Committee's conclusion that the lack of vacant, developable land had resulted in or contributed to the "rapidly rising price of housing in Leon County", and emphasized that there was no guarantee that a larger USA would result in more affordable homes. Mr. Seery also stressed the need to define "affordable housing" or "working class households" as used in the Committee's report.

Mr. Rico Johnson, 928 Chestwood Avenue, appeared before the Joint Commission and, noting that he was a realtor and an investor, advised that his investments in housing were in the outlying counties because of the lack of affordable housing lots in Leon County. He suggested that the City or the County offer incentives for the landowners to develop affordable housing.

County Commissioner Rackleff indicated he could not support this amendment with no analysis on the alternative site of 614 acres, and stated his preference for looking at the subdivision regulations to reduce the cost of developing the land. He suggested that an analysis of the outlying counties would show that they were encouraging growth but had no way to pay for that growth, and he stressed the need for more density and infill, more housing in the Southern Strategy Area and more focus on who paid for the cost of growth in this community.

On behalf of the County, County Commissioner Rackleff then moved to deny Amendment 2005-1-M-015. At the request of the Mayor, he withdrew his motion pending further discussion.

City Commissioner Lightsey discussed her inability to support this amendment based on the data and analysis, which did not support the Committee's premise that expanding the USA would help provide affordable housing, and because the economics and planning principals of having a USA and promoting urban infill did not support this amendment. She stated that infill made construction cheaper because the infrastructure was already in place and there was no guarantee that an expansion of the USA would lower the cost of lots because that was market driven. City Commissioner Lightsey agreed with the need to address this issue by looking at the development standards, which could be changed without going through the amendment process and without expanding the USA. Noting that the City was working on an inclusionary housing zoning and the City had an aggressive affordable housing plan, she stated that this issue could be addressed through other means and she also observed that the St. Joe Company had the ability to submit its own application to bring its property inside the USA at such time as it was prepared to pursue its development, noting that its development of Southwood included no affordable housing because the City's Inclusionary Housing Zoning at that time only required affordable housing in certain sectors already over represented on the south side.

County Commissioner Thael indicated his concurrence with the comments of County Commissioner Rackleff and City Commissioner Lightsey for much of the same reason, and also because both governments had already entered into agreements regarding bringing Southwood into the USA. He also discussed his concern with the process, the fact that this Committee was not an official ad hoc committee appointed by the City and County Commissions, and the lack of public notice in bringing this amendment forward, and he suggested that this discussion could be moved forward by appointing a committee to address all concerns raised by both the proponents and the opponents of this amendment. County Commissioner Thael added that Amendment 026 would bring 800 acres of the Welaunee property into the USA.

County Commissioner DePuy stressed his support for this amendment as a starting point for getting realistic in encouraging affordable housing and he expressed hope that the Committee would bring back many more pieces of property in Leon County that could be developed with affordable housing. He opined that making more lots available would have a resounding rebound on the housing affordability in lowering the cost.

County Commissioner Grippa determined from Ms. Andersen that the amendment site was in the Fairview and Rickards school zones, and those schools were not at capacity while the School Board's position was that Mixed Use A zoning would allow a density that would require additional school facilities.

Ms. Anderson advised that the School Board had recently informed Planning staff that most of the schools would be impacted by recent legislation on class size.

County Commissioner Grippa discussed his perception that inclusionary housing would not facilitate affordable housing because the developers would pass the cost on to another homeowner, with the result of raising prices, and in his opinion inclusionary housing, if taken to an extreme, could at some point mirror a failed economy. He stated that people were moving to Wakulla County because housing was too expensive in Leon County, and it was an indisputable fact that increasing the supply would lower the cost. County Commissioner Grippa also asserted that those people who were against urban sprawl were the same ones who were against height restrictions, and those people who stated that they were for good economic development were the same people who were forcing the Frito Lay Company expansion to Midway and were forcing this community to be dependent on state government.

County Commissioner Sauls opined that this amendment needed to be directed to the staff for analysis because the amendment site had changed, while she would be willing to consider the revised amendment in the next amendment cycle.

Commissioner Gillum advised that he could not support this amendment because he saw no assurance that the amendment would result in housing that would be affordable, and he discussed his support for addressing the need for such affordable housing through a review of the land development standards within the USA, which could mean allowing increased building heights and reducing some of the green space requirements.

County Commissioner Proctor discussed his support for this amendment not because of the process used, or the fact that the "street committee" that proposed this amendment was not officially sanctioned, or the fact that the St. Joe Company had already declared it was not in the affordable housing business, but because the housing market for workers was depressed in this community and he wanted jobs for the men in his district.

Mayor Marks accepted some of the responsibility for the formation of the Residential Lot Availability & Affordability Committee and expressed sincere regret that the City Commission had not had an opportunity to hold a workshop on the Committee's recommendations. He stated that the City Commission was not ready to move forward on this amendment because it was a bigger issue than increasing the USA and required more consideration before he could make an informed decision.

Brief discussion focused on process and City Commissioner Gillum ascertained that procedurally the City Commission could transmit the amendment to the FDCA and later decide not to adopt the amendment.

On behalf of the City, City Commissioner Lightsey **moved to deny Amendment 2005-1-M-015** and she explained that increasing the acreage inside the USA did not translate to more available lots as defined by this Committee. She suggested that this issue could best be appropriately addressed through the Long Term Development Target Issue, which dealt with infill development, development regulations and affordable housing.

City Commissioner Gillum seconded the motion and expressed the opinion that the City Commission needed to move forward with looking at development rules without expanding the USA.

Mayor Marks indicated he would support the motion and stated that he accepted part of the responsibility for this Committee's formation.

The vote of the City Commission on the motion denying Amendment 2005-1-M-015 was as follows:

AYE: City Commissioners Marks, Lightsey and Gillum
NAY: None
ABSENT: City Commissioners Katz and Mustian

On behalf of the County, County Commissioner Sauls moved to deny Amendment 2005-1-M-015 and upon second by County Commissioner Rackleff, the motion failed on a vote of the County Commission as follows:

AYE: County Commissioners Thael, Sauls, Rackleff
NAY: County Commissioners Grippa, Proctor and DePuy
ABSENT: County Commissioner Winchester

On behalf of the County, County Commissioner Grippa moved to transmit the original Amendment 2005-1-M-015 that was before the Commission and County Commissioner DePuy seconded the motion.

County Commissioner Grippa ascertained from County Attorney Thiele that if the motion failed on a tie vote, the amendment would not be transmitted to FDCA.

City Commissioner Gillum clarified with Mr. Tedder that the Commissions had recently adopted a policy precluding a developer or a property from resubmitting an amendment application in the next amendment cycle, while the City or County Commission could resubmit an amendment at any time.

County Commissioner Grippa withdrew his motion and stated that he viewed the Residential Lot Availability & Affordability Committee as a valid committee of environmentalists, business leaders, realtors, the same as the Blueprint 2000 Committee, which had worked together to build consensus and bring its recommendations to the Commissions. He expressed hope that this issue would not be ignored in the next amendment cycle and he thanked the Committee members for their work.

County Commissioner Proctor clarified for the record that he had made no appointment to the Residential Lot Availability & Affordability Committee, which he viewed as an ad hoc or "street committee". He reiterated his support for the workingman and his belief that jobs were needed in this community.

County Chairman Thael clarified that the County Commission's decision, based on a tie vote, was to deny Amendment 2005-1-M-015.

Text Amendment 2005-1-T-026

This proposed amendment would create an alternative development pattern allowing low-density residential estate lots on up to 800 acres of the heel of the Welaunee Critical Planning Area, amending Land Use Goal 13 and implementing objectives and policies, and would move the USA boundary to the east to incorporate the amended site. (The City of Tallahassee was the applicant.) Planning staff and the LPA recommended approval, and the County Commission's tentative position was to deny this amendment. The City Commission's tentative position was to approve the amendment as amended.

Ms. Anderson announced there were no speakers on this item.

Mayor Marks questioned the rationale for the differing positions of the City and County Commissions.

County Chairman Thael clarified that the County Commission had voted to approve the downzoning but not the amendment because there was a proposal to not pursue the master stormwater plan obligation as required by the Comprehensive Plan. He stated that subsequently, the developer's representative had confirmed the developer's intent to prepare a master stormwater plan on this property, therefore, he no longer objected to this amendment, which provided the developer some flexibility.

On behalf of the County, County Commissioner Grippa moved to approve Amendment 2005-1-T-026. The motion died for lack of a second.

At the request of Mayor Marks, Mr. Goodrow advised that the City Commission's amendment modification applied all affordable housing requirements in the City's development regulations to any development in the heel of the Welaunee Critical Planning Area (CPA) as well as in the toe.

City Commissioner Lightsey explained that the City was acquiring some Welaunee property for less than market value with the intent of developing some affordable housing on that property. She confirmed with staff that the cost savings on the City's purchase of this property from Welaunee could count towards the Welaunee development affordable housing requirements if the City's development of that purchased property occurred before the Welaunee property was developed.

On behalf of the County, County Commissioner Rackleff moved to approve the transmittal of Amendment 2005-1-T-026 as modified by the City.

County Chairman Thael passed the gavel to Vice Chair Proctor and seconded the motion.

At the request of County Chairman Thael for clarification of the stormwater obligation, Mr. David L. Powell, of the Hopping Green & Sams Law Firm, representing Powerhouse, Inc., the owners of Welaunee, appeared before the Joint Commission and confirmed that the amendment would make no change in the requirements for stormwater facilities, master planning or a natural features inventory on either the toe or the heel from what the City and the County approved in the CPA two years earlier.

County Commissioner Grippa recalled that the original plan required a stormwater plan on the entire property, heel and toe, and he questioned if this had changed since it had been determined that they were in separate stormwater sheds.

Mr. Powell clarified that the language in the amendment provided that when the toe developed there would be a natural features inventory (NFI) and a stormwater facilities master plan done for the entire toe, and when the heel developed there would be a NFI and a stormwater facilities plan done for the entire heel. He further clarified that language in the Comprehensive Plan also indicated that the stormwater facilities master plan for the heel needed to take into account the potential for future development in the arch.

County Commissioner Grippa ascertained from Mr. Powell that nothing was being removed from the requirements of providing for development in the arch.

County Commissioner Grippa stated his understanding that the original amendment attempted to get out of a comprehensive stormwater plan and a comprehensive NFI for the entire site as far as the heel was concerned unlike the amendment as currently modified, which required a comprehensive analysis of the stormwater system and the NFI in the heel.

Mr. Goodrow stated that under the existing requirements for construction to begin on either the heel or the toe, there would have to be a comprehensive stormwater analysis on the entire property, heel and toe, while an NFI was required on either the heel or the toe being developed.

County Commissioner Grippa discussed his preference for requiring a comprehensive stormwater plan for the entire property because all of it drained into Lake Lafayette and he stated that attempts to protect the water quality would fail if each watercourse were treated separately. He referred to discussions over putting a berm on the Miccosukee Greenway, and a promise from the representatives of Welaunee that they would provide a comprehensive stormwater plan as part of the Welaunee CPA, and he stated that the approved CPA provided for a comprehensive stormwater plan

as well and he wanted to hold them to their promise. County Commissioner Grippa then **offered a substitute motion to deny Amendment 2005-1-T-026.**

Vice Chairman Proctor returned the gavel to County Chairman Thael, and seconded the substitute motion.

County Commissioner Proctor confirmed with County Attorney Thiele that all of the attachments to the text of Amendment 2005-1-T-026 were binding, including the promise of a number of jobs, and this development agreement was more specific than the Bradfordville development agreement. He questioned the need for the level of specificity provided with this amendment, i.e., how the sewage would be addressed, the traffic, the power lines, and emphasized that he did not want the sewage from this development piped into his district on the southside.

Mr. Tedder advised that central sewer was planned for this amendment area and this development would be required to be on central sewer, which would connect to the City's trunk line be piped down to the City's sewage treatment plant.

Discussion continued and County Commissioner Proctor stated that he wanted more for his district. He opined that this was legal discrimination and he would not support this amendment.

County Chairman Thael discussed his support for this amendment, and noted that the County's Science Advisory Council and Water Resources Council had endorsed this amendment. He opined that it did not make sense to require a master stormwater plan for property before it was allowed to develop, noting that the toe and arch of the property were not being developed at this time.

County Commissioner DePuy stated his support for the original motion to approve this amendment and stated that he did not support County Commissioner Grippa's motion for denial. He clarified that he would need more assurance before voting on the final approval of this amendment, and suggested that the developer representatives take some action to heighten his confidence in the promises provided with this amendment.

County Commissioner Grippa emphasized that his objection to this amendment was based on his desire for a master stormwater plan for this property in total, as he did not want to see Lafayette Oaks, Lake Lafayette, Midyette, and that entire Pedrick Pond area polluted, overflowing and flooding.

The motion to deny Amendment 2005-1-T-026 failed on a County Commission vote as follows:

AYE: County Commissioners Grippa and Proctor
NAY: County Commissioners Thael, Sauls, Rackleff and DePuy
ABSENT: County Commissioner Winchester

On behalf of the County, County Commissioner Rackleff **moved to approve the transmittal of Amendment 2005-1-T-026 as modified** and County Commissioner Sauls seconded the motion.

County Commissioner Proctor stated his belief that the Commission should not take a developer's agreement and contract, and make it a public law entered into the Comprehensive Plan with this level of specificity.

County Commissioner Grippa suggested that the new Eastern Transmission Line be routed further in on the Welaunee property, and he urged the Welaunee developer to participate in the development of Welaunee Boulevard.

County Commissioner Rackleff reported that one of the residents in this area had told him that the City had agreed to move the new power line further away.

Mayor Marks emphasized that this amendment had no relation to the routing of that power line.

The County Commission's vote on the motion to approve the transmittal of Amendment 026 as modified was as follows:

AYE: County Commissioners Thaell, Sauls, Rackleff and DePuy
NAY: County Commissioners Grippa and Proctor
ABSENT: County Commissioner Winchester

On behalf of the City, City Commissioner Lightsey moved to approve the transmittal of **Amendment 2005-1-T-026 as modified** and City Commissioner Gillum seconded the motion, indicating his agreement that this item provided for a great deal of specificity.

The vote of the City Commission on the motion approving the transmittal of Amendment 026 as modified was as follows:

AYE: City Commissioners Marks, Lightsey and Gillum
NAY: None
ABSENT: City Commissioners Katz and Mustian

City Commissioner Lightsey noted for the record that she had been reassured by the City Attorney that there would be no function or qualitative difference in the treatment and the handling of the stormwater coming off this property because of this amended language, as opposed to what was in the Critical Planning Area.

Text Amendment 2005-1-T-035

This text amendment would create a future land use category titled Urban Residential, with a maximum residential density of 10 dwelling units per acre and a minimum of 4 (County Commission application). Planning staff and the LPA recommended approval. The County Commission's tentative position was to approve this amendment, and the City Commission's tentative position was to approve the amendment as modified.

Ms. Carol Kio-Green, 4823 Sullivan Road, appeared before the Joint Commission and encouraged denial of this amendment, as it was based on the same false assumptions that were relevant to Amendment 015. Noting that this was one of the amendments recommended by the Residential Lots Availability & Affordability Committee, submitted by the County on behalf of that group, she stated that a new Urban Residential future land use category, provided by this amendment, would not achieve higher density and she recommended review of the development standards to achieve more density.

County Commissioner Sauls asked for information on the City's modifications to this amendment, and City Commissioner Lightsey advised that the City modified the language to correct an oversight, supported by the staff, making this amendment applicable only inside the USA because there should be no urban residential minimum densities outside the USA.

On behalf of the County, County Commissioner Grippa moved to approve the transmittal of **Amendment 2005-1-T-035 as modified by the City** and upon second by County Commissioner Sauls, **the vote of the County Commission was as follows:**

AYE: County Commissioners Thaell, Sauls, Rackleff, Grippa, Proctor and DePuy
NAY: None
ABSENT: County Commissioner Winchester

On behalf of the City, City Commissioner Gillum moved to confirm the City's position and approve the transmittal Amendment 2005-1-T-035 as modified and upon second by City Commissioner Lightsey, the vote of the City Commission was as follows:

AYE: City Commissioners Marks, Lightsey and Gillum
NAY: None
ABSENT: City Commissioners Katz and Mustian

Text Amendment 2005-1-T-036

A proposed text amendment modifying Policy 1.4.21 of the Future Land Use Element to require additional Land Development Regulations within the Central Urban category. (The Planning Department was the applicant.) Planning staff recommended approval. The LPA recommended approval as modified. The City and County Commissions deferred taking a position on this amendment to the transmittal hearing.

Mr. Tedder advised that the premise of this amendment was to set up the Central Urban category for Mixed Use zoning districts, because there was a wide variety of land uses within this Central Urban, allowing a broad range of uses from very intense commercial to very low density residential. He stated that the staff's intent would be to bring another Comprehensive Plan amendment forward in the next amendment cycle to establish some of the development standards and districts that would implement this particular amendment.

City Commissioner Lightsey stated that she had a continuing concern that this would allow the traffic from minor commercial and major office in medium density residential areas access onto unimproved, narrow local streets.

Mr. Tedder advised that the Central Urban land use access limitations in the Comprehensive Plan had not be disengaged, although the intent was to do so by establishing three to four different zoning districts that would allow Central Urban access onto a local street, especially along South Monroe Street. He stated that the intent was to encourage access to the local street so as to manage the access along the major roadways, and he stated that this was very appropriate for very intense development.

City Commissioner Lightsey clarified with Mr. Tedder that this would be limited to local streets intersecting with a major thoroughfare, and Mr. Tedder affirmed that the traffic on the local streets would be addressed through land development regulations, which would be in place before implementation of this amendment.

On behalf of the City, City Commissioner Lightsey moved to approve the transmittal of Amendment 2005-1-T-036 and upon second by City Commissioner Gillum, the vote of the City Commission was as follows:

AYE: City Commissioners Marks, Lightsey and Gillum
NAY: None
ABSENT: City Commissioners Katz and Mustian

On behalf of the County, County Commissioner DePuy moved a like motion and upon second by County Commissioner Rackleff, the vote of the County Commission on the approval of the transmittal of Amendment 2005-1-T-036 was as follows:

AYE: County Commissioners Thaell, Sauls, Rackleff, Grippa, Proctor and DePuy
NAY: None
ABSENT: County Commissioner Winchester

**PUBLIC HEARINGS ON SMALL SCALE COMPREHENSIVE PLAN
MAP AMENDMENTS AND CITY ORDINANCE**

Mr. Tedder advised that in an attempt to expedite permit review, these amendments adopted the zonings that were presented in companion ordinances and their approval at this time saved approximately four months in the permitting process:

Amendment #	Amendment To:	Nature of Proposed Amendment
2005-1-M-003	FUTURE LAND USE MAP (Located south of Mahan Drive, East Tennessee Street and north of Call Street.)	From: Mixed Use C To: Recreation/Open Space-Stormwater Facility 8.9 Ac.
2005-1-M-017	FUTURE LAND USE MAP (The Coleman Building on East Gaines and Meridian Streets.)	From: Government Operational To: Mixed Use C <u>As modified to Downtown future land use category</u>
2005-1-M-018	FUTURE LAND USE MAP (The Firestone Building on East Gaines Street, between Gadsden and Meridian Streets.)	From: Government Operational To: Mixed Use C <u>As modified to Downtown future land use category</u>
2005-1-M-019	FUTURE LAND USE MAP (The Bloxham Building on East Gaines Street, between Gadsden and Calhoun Streets.)	From: Government Operational To: Mixed Use C <u>As modified to Downtown future land use category</u>
2005-1-M-020	FUTURE LAND USE MAP (The Bloxham Annex Building on East Gaines Street, between Gadsden and Calhoun Streets.)	From: Government Operational To: Mixed Use C <u>As modified to Downtown future land use category</u>
2005-1-M-021	FUTURE LAND USE MAP (The Johns and Clemmons Buildings on West Madison Street, between Duval and Bronough Streets.)	From: Government Operational To: Mixed Use C <u>As amended to Downtown future land use category</u>
2005-1-M-022	FUTURE LAND USE MAP (The Warren Building on South Duval Street, between Bloxham and Blount Streets.)	From: Government Operational To: Mixed Use C <u>As modified to Downtown future land use category</u>
2005-1-M-023	FUTURE LAND USE MAP (The Chevron Building on West Gaines, between Bronough Street and Martin Luther King, Jr. Boulevard.)	From: Government Operational To: Mixed Use C <u>As modified to Downtown future land use category</u>
2005-1-M-024	FUTURE LAND USE MAP (The Executive Building on West Bloxham Street, between Bronough Street and Martin Luther King, Jr. Boulevard.)	From: Government Operational To: Mixed Use C <u>As modified to Downtown future land use category</u>
2005-1-M-025	FUTURE LAND USE MAP (The Winchester Building Complex on Blount Street, between Bronough Street and Martin Luther King, Jr. Boulevard.)	From: Government Operational To: Mixed Use C <u>As modified to Downtown future land use category</u>

There were no speakers on the proposed Small Scale Comprehensive Plan Map Amendments.

County Approval of Small Scale Comprehensive Plan Map Amendments

On behalf of the County, County Commissioner Grippa moved to approve **Small Scale Comprehensive Plan Map Amendments 2005-1-M-003 and 2005-1-M-017--025** and upon second by County Commissioner Proctor, **the vote of the County Commission was as follows:**

AYE: County Commissioners Thaell, Sauls, Rackleff, Grippa, Proctor and DePuy

NAY: None

ABSENT: County Commissioner Winchester

**City Approval of Small Scale Comprehensive Plan Map Amendments
and Adoption of Ordinance**

ORDINANCE NO. 04-O-104

AN ORDINANCE OF THE CITY OF TALLAHASSEE ADOPTING SMALL SCALE AMENDMENTS TO THE 2010 TALLAHASSEE/LEON COUNTY COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

City Attorney English read the title and presented City Ordinance No. 04-O-104, introduced on November 23, 2004, providing for the implementation of amendments to the Comprehensive Plan meeting the statutory criteria for small scale amendments, including Amendments 2005-1-M-003 and 2005-1-M-017, 018, 019, 020, 021, 022, 023 and 025, each changing the Future Land Use Map designation for property from Government Operational to Downtown (Amendments 017-025 requested by the State of Florida on state properties to be sold).

There were no speakers on City Ordinance No. 04-O-104.

On behalf of the City, City Commissioner Lightsey moved to approve **Small Scale Comprehensive Plan Amendments 2005-1-M-003 and 2005-1-M-017—025**, and adopt **City Ordinance No. 04-O-104**. City Commissioner Gillum seconded the motion and **the vote of the City Commission was as follows:**

AYE: City Commissioners Marks, Lightsey and Gillum

NAY: None

ABSENT: City Commissioners Katz and Mustian

There being no further business to come before the joint Commission, the meeting adjourned at 9:37 p.m.

Cliff Thaell
Chairman

ATTEST:

Bob Inzer, Clerk of the Circuit Court